

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael R. Pallesen, Vilas M. Athavale, Sridhar Gunapu
Assignee: InsWeb Corporation
Title: System And Method For Flexible Insurance Rating Calculation
Application No.: 09/521,005 Filing Date: March 7, 2000
Examiner: Lena Najarian Group Art Unit: 3626
Docket No.: INS0006US Confirmation No.: 1151

Austin, Texas
March 20, 2008

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P. O. BOX 1450
ALEXANDRIA, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Dear Sir:

Applicants hereby request review of the final rejection, mailed July 18, 2008, in the above-identified application. This Request is being filed concurrently with a Notice of Appeal. No amendments are being filed with this request. This review is requested for the reasons set forth in the Remarks section below.

REMARKS

Claims 1-12, 14-24 and 26-37 are pending in the application.

Claims 1-12, 14-24 and 26-37 have been rejected.

Rejection of Claims under 35 U.S.C. §103(a)

Claims 1-12, 14-24 and 26-36 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's Background of the Invention (pages 1-2 of Applicant's originally filed specification) in view of Kennedy (USPN 5,787,453) ("Kennedy") and further in view of Chlan et al. (USPN 6,385,642) ("Chlan"). Applicants respectfully traverse this rejection.

Claim 1 recites, in part: a database interface operable to request and receive product rate information from a database, the product rate information including at least one product rate

expression; a product rate information cache storing the product rate information received from the database; [and] an expression evaluation routine operable to parse a product rate expression stored in the product rate information cache into at least one token, and operable to evaluate the at least one token to determine a product rate.

The cited art fails to teach or suggest the product rate information cache of claim 1. As noted on page 4 of the Office Action mailed September 20, 2007 (which is incorporated into the Final Office Action mailed July 18, 2008), neither Applicant's Background nor Kennedy teach or suggest this feature. Instead, the Examiner relies upon Chlan to teach this feature. However, Chlan does not teach or suggest a product rate information cache that stores product rate information, which includes a product rate expression. Instead, Chlan describes a cache for storing information received from a user (e.g., the 'command line information in col. 6 of Chlan) and information received from a data source and used to manage a session (e.g., the session ID, a valid user indication, available options, graphical style indication, results of previous processing, and the like, as described beginning at line 30 of col. 6 of Chlan). None of this information is product rate information that includes a product rate expression.

Furthermore, nothing in the cited portions of Chlan teaches or suggests caching product rate information like that recited in claim 1. The information stored in Chlan's cache appears to all be static information, such as results of previous processing and session IDs. Thus, Chlan does not teach or suggest caching items that would need to be reevaluated, such as the expressions included in the product rate information described in claim 1. None of the other references teach or suggest this feature, either. Accordingly, the cited art fails to teach or suggest the product rate information cache of claim 1.

In response to the above arguments, page 5 of the Final Office Action states that "one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references." However, the rejection does not explain how the combination teaches the cache of claim 1 and only relies upon a single reference to teach this feature. The cited art fails to teach a cache configured in the manner of the cache of claim 1 (i.e., to store the product rate information received from the database). Instead, the cited art teaches a cache for storing static information received from a user or data source (Chlan) and the existence of mathematical expressions that are hard coded into an application (Applicant's Background). Thus, in combination, the cited art does not teach or suggest the cache of claim 1.

Additionally, the cited art fails to teach or suggest an interface operable to request product rate information, which includes a product rate expression, from a database. The Examiner relies on Applicant's Background to teach an insurance product application that is

encoded with product rate expressions (Office Action, p. 2) and Kennedy to teach a database interface (Office Action, p. 3). The Examiner suggests that it would have been obvious to incorporate Kennedy's invention into the insurance product application described in the background section of our application. Office Action, pages 3-4.

Kennedy's invention is a programming system that allows human users to more easily program complex calculations (none of which involve product rate expressions) that use the contents of SQL databases. Kennedy, Technical Field and Disclosure of the Invention. Nothing in Kennedy teaches or suggests that such a programming system --which is set up for people, not applications, to use-- could be incorporated into an insurance product application like the one described in Applicant's background, nor does modification of the insurance product application to include Kennedy's programming system seem possible. Furthermore, it does not appear that the "applications" described in the cited portions of Kennedy can execute outside of Kennedy's programming system, nor does Kennedy teach or suggest attempting to use the applications in that manner. Similarly, Kennedy provides no teachings or suggestions to incorporate those applications generated by Kennedy's programming system into other applications, like the insurance product application of claim 1. Accordingly, the art does not appear capable of being modified in the manner suggested by the Examiner.

Furthermore, none of the references cited by the Examiner teach or suggest storing product rate expressions in a database, nor do they suggest an interface for receiving such product rate expressions from a database. Kennedy does not teach or suggest anything about product rate expressions, let alone storing product rate expressions in a database. Similarly, Applicant's Background does not teach or suggest storing product rate expressions in a database. Instead, Applicant's Background explicitly teaches encoding such expressions into an insurance product application.

In response to the above arguments, page 5 of the Final Office Action states that "a form of 'product rate expression' is disclosed" in Applicant's Background. However, the mere existence of product rate expressions neither teaches nor suggests the act of storing such product rate expressions in a database. Similarly, the mere existence of product rate expressions neither teaches nor suggests an interface for receiving such expressions from a database.

For at least the foregoing reasons, the cited art fails to teach or suggest claim 1. Claims 2-12 and 14, which depend from claim 1, are patentable over the cited art for at least these reasons as well. Claims 15-24 and 26-36 are patentable over the cited art for similar reasons.

Further with respect to claim 2, the cited art fails to teach or suggest that "the product rate information includes at least one multi-dimensional table of data." The Examiner relies upon

Applicant’s Background to teach this feature. However, Applicant’s Background merely refers to “lookup tables.” Nothing in Applicant’s Background teaches or suggests anything about the dimensions of such tables, and thus there is clearly no suggestion or teaching that the lookup tables are multi-dimensional tables.

Further with respect to claim 3, the cited art fails to teach or suggest that at least one dimension of the at least one multi-dimensional table is indexed by consumer information provided to the client interface. The Examiner cites Kennedy as teaching an SQL database having a number of dimensions; however, none of these dimensions appear to be indexed by consumer information provided to a client interface. Instead, Kennedy merely states that the dimensions can include an hours dimension, an employees dimension, and a project dimension, as well as a timespan dimension. The mere fact that Kennedy’s teaches a SQL database having multiple dimensions neither teaches nor suggests the indexing feature described in claim 3.

Furthermore, there is no teaching or suggestion to combine Kennedy’s multidimensional SQL database (relied upon to teach the multi-dimensional table of claim 3) with the lookup tables of Applicant’s Background (relied upon to teach the multi-dimensional table of claim 2). The Examiner suggests that the motivation would be “enabling the user to efficiently access and analyze data stored in the database” (Office Action, p. 5). However, nothing in Applicant’s Background suggests that the lookup tables are stored in a database. Furthermore, nothing in Kennedy suggests that the use of a multidimensional SQL table would make the access and analysis of the lookup tables in Applicant’s Background more efficient.

Finally, it does not appear that the dimensions (e.g., hours, employees, projects, or timespan) provided by Kennedy’s multidimensional SQL database correspond to dimensions that would be needed to index into a rating factors lookup table. Accordingly, it does not appear that the references could be combined in the manner suggested.

Further with respect to claim 8, the cited art fails to teach or suggest an expression evaluation routine that uses consumer information provided to the client interface to evaluate the at least one token. In the cited portions of Kennedy, which is the only reference relied upon to teach this feature, evaluation of tokens is based upon values in the formula group libraries stored in the SQL database, not upon information provided to a client interface. Kennedy, col. 8. Thus, the cited art fails to teach or suggest this feature of claim 8.

CONCLUSION

Applicants assert that the application is in condition for allowance and respectfully request that a finding withdrawing the final rejection of the claims be issued. If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

/Brenna A. Brock/

Brenna A. Brock
Attorney for Applicants
Reg. No. 48,509
Telephone: (512) 439-5087
Facsimile: (512) 439-5099